

Minutes of the
Bountiful City Council Meeting
City Council Chambers
June 12, 2012, 7:00 p.m.

Present: Mayor: Joe L. Johnson
Council Members: Richard Higginson, Beth Holbrook, John Marc Knight,
Fred Moss, and Thomas Tolman
City Manager/Attorney: Russell Mahan
City Engineer: Paul Rowland
Admin. Services Dir. Galen Rasmussen
City Treasurer: Mark McRae
Planning/RDA Director: Aric Jensen
Department Heads: Gary Blowers, Streets
Allen Johnson, Power
Tom Ross, Police
Mark Slagowski, Water/Sewer
Jerry Wilson, Parks
Alan West, Information Technology
Recording Secretary: Nancy Lawrence

Official Notice of this meeting had been given by posting a written notice of same and an Agenda at the City Hall and providing copies to the following newspapers of general circulation: Davis County Clipper, Standard Examiner, and on the Utah Public Notice Website.

Mayor Johnson called the meeting to order at 7:00 p.m. and welcomed those in attendance. Mr. Rowland led the pledge of allegiance to the flag, following which Councilman Moss offered the prayer/thought.

APPROVAL OF MINUTES

Minutes of the regular City Council meeting held May 22, 2012 were presented and approved on a motion made by Councilman Higginson and seconded by Councilwoman Holbrook. Councilpersons Higginson, Holbrook, Knight, and Moss voted "aye". Councilman Tolman abstained because he was absent from the subject meeting.

COUNCIL REPORTS

Councilwoman Holbrook reported that the following bands will perform for the Summer Nights 2012 concert series:

June 22	Argyle
June 29	Cross Roads
July 13	Bountiful's Got Talent
July 27	Revolver (a Beatles group)
August 3	Endless Summer
August 17	Blue Grass Rising

Bountiful will co-host an Emergency Preparedness Fair (involving all of South Davis County) which will be held Saturday, October 13th at Woods Cross High School. The contact person for this event is Rolayne Collins.

1 **YOUTH COUNCIL REPORT**

2 Andrea Haslam and Sarah Bott reported from Youth Council that the group assisted in
3 hosting the Stomp on Main on June 2nd and that the event was very successful. The Youth Council
4 will help the Rotary Club with the Car show June 15-16. Councilman Knight and the Mayor
5 commented on the great work which the Youth Council does and it was noted that they have been
6 recognized both at the State and National level of the League of Cities and Towns for their service
7 and quality.
8

9 **WEEKLY EXPENDITURES APPROVED FOR THREE PERIODS**

10 Mayor Johnson presented the Expenditure and Expense Reports, with corresponding totals,
11 for the following periods: May 10 – 16, 2012 (\$514,339.41); May 17 – 22, 2012 (\$162,207.87);
12 and May 23 – 30, 2012 (\$1,879,268.73). The staff responded to questions, following which the
13 three reports were unanimously approved on a motion made by Councilwoman Holbrook and
14 seconded by Councilman Higginson. Councilpersons Higginson, Holbrook, Knight, Moss, and
15 Tolman voted “aye”.
16

17 **CAR SHOW UPDATE / THANK YOU FROM BOUNTIFUL**
18 **ROTARY CLUB**

19 Chris Simonsen, Tyler Deiter, and Paul Somers (representing the Bountiful Rotary Club)
20 were in attendance to report on the upcoming “Coats for Kids” car show. Mr. Deiter reviewed that
21 this is the 14th year that the City has worked with the Rotary Club to provide for this fund raising
22 event and he noted that this past year just under \$30,000 of coats, gloves and boots were purchased
23 for children in need. The event also raised enough money that five \$1,000 scholarships were
24 presented to Bountiful High School graduates. He reviewed other activities that will be taking place
25 at the City park during the car show and encouraged everyone to attend.
26

27 Mr. Simonsen (chairman of the car show) reported that the event has grown from 75 cars
28 being displayed 14 years ago to over 400 cars this year. This show is considered one of the leading
29 shows on the car show circuit. There will also be 22 food court vendors and there are 70 sponsors
30 for the event, providing for all proceeds to go to the “Coats for Kids” project. Since its inception,
31 6,700 children have received assistance through this program.
32

33 **PRESENTATION OF CERTIFICATE OF EXCELLENCE IN**
34 **FINANCIAL REPORTING FOR 2010-11 FISCAL YEAR**

35 This presentation will be delayed until the next meeting.
36

37 **BID FOR CENTRAL SUBSTATION ROOF AWARDED TO REDD ROOFING**

38 Mr. Allen Johnson reviewed that the 2011-12 Power Department budget includes \$25,000 to
39 replace the roof and to repair the siding on the Central Substation storage building. Bids were
40 requested and it is the recommendation of staff and the Power Commission to accept the low bid
41 from Redd Roofing (Ogden) in the amount of \$11,187.00. Councilman Moss motioned to approve
42 the bid, as recommended. Councilman Higginson seconded the motion and voting was unanimous.
43 Councilpersons Higginson, Holbrook, Knight, Moss, and Tolman voted “aye”.
44

45 Mr. Johnson also gave an update on the installation of the new turbines at the Power Plant,
46 and stated that they should be operational by next week. Councilman Moss reported from the IPA

1 board that Unit 1 is back in operation and running and Bountiful has been able to cover their peak
2 demands.

3
4 **PUBLIC HEARING TO RE-OPEN 2011-12 FISCAL YEAR BUDGET**

5 Mr. Mahan reported that it is necessary to re-open the 2011-12 Fiscal Year budget to amend
6 certain accounts to reflect actual financial expenditures and receipts. He referred to "Schedule A:
7 Budget Amendment Requests" and reviewed with the Council that following these amended
8 financial transactions, the bottom line of the budget approved for the 2011-12 fiscal year would not
9 reflect an increase or decrease in the total budget.

10
11 At 7:35 p.m. Mayor Johnson opened the public hearing regarding the proposed changes.
12 There were no comments from the public and the hearing was closed. Councilman Knight
13 motioned to accept the proposed amendments by adopting Ordinance No. 2012-07 entitled "AN
14 ORDINANCE AMENDING THE FINAL BUDGET OF THE CITY OF BOUNTIFUL FOR THE FISCAL YEAR
15 BEGINNING JULY 1, 2011, AND ENDING JUNE 30, 2012." Councilman Higginson seconded the motion
16 and voting was unanimous. Councilpersons Higginson, Holbrook, Knight, Moss, and Tolman
17 voted "aye".

18
19 **PUBLIC HEARING TO REVIEW 2012-13 FISCAL YEAR BUDGET**

20 Mr. Mahan narrated a PowerPoint presentation on the Proposed Final Budget for Fiscal Year
21 2012-13. He reviewed that the budget was initially prepared and reviewed by each City department
22 and he praised the department heads for their ability to put a budget together and then live within
23 that budget. He also credited Galen Rasmussen and those who work in the financial arena of the
24 City for preparation of the final budget. He explained that the budget has been reviewed in depth by
25 the Council budget committees and the tentative budget was adopted last month. He pointed out
26 that the budget is a policy statement because it is driven by the priorities of the City staff and
27 elected officials and reflects the values of the Bountiful citizens. Total budgeted expenses and
28 revenues for the 2012-13 fiscal year are balanced at \$62,041,103, down \$16.7 million from last
29 year, reflecting that the expansion of the Power Plant is nearly completed. There are no property or
30 other tax increases and no user fee increases except for the golf course greens fees.

31
32 Mr. Mahan also noted that there were several changes in the budget being presented tonight
33 from the tentative budget which was adopted in May. He reviewed those changes and stated that
34 the bottom line (total budget) reflected an increase of \$4,295,327, with \$4,000,000 to be used for
35 construction costs for a new City Hall.

36
37 Mr. Mahan referred to charts and graphs showing where City revenue comes from, noting
38 that 60 percent is from user fees, which he pointed out is the most fair method of getting revenue
39 because it comes from those who are using the services. The largest single expenditure is for power
40 (\$23.5 million). Following Mr. Mahan's presentation, the Mayor opened the public hearing at 8:05
41 p.m. Ed Larrabee, 2377 South 150 East, asked what, if anything, was included in the budget to
42 address street repair problems which are needed in his neighborhood. Mr. Blowers affirmed that
43 2200 South is included for improvements, to include roto-milling and then re-paving. Ernie Cox,
44 1372 Seville Way, noted that the budget includes \$7 million coming from reserves, but only \$2.7
45 going back into reserves and he questioned whether or not the City's reserves were being depleted.
46 Mr. Mahan and Mr. Rasmussen explained that the reserve accounts are used for major capital

1 improvement projects and increases and decreases are anticipated depending on the projects
2 included in the current year budget. There were no further comments and the hearing was closed at
3 8:15 p.m.
4

5 Councilman Higginson pointed out that the use of reserve accounts was a smart way to do
6 business because it eliminated the need for the City to borrow from outside institutions when major
7 expenditures are needed. Mayor Johnson expressed appreciation for the City employees and their
8 integrity and desire to represent the City well. Councilman Knight made a motion to adopt the
9 Proposed Final Budget, as presented, for the 2012-13 Fiscal Year as set forth in Ordinance No.
10 2012-08 entitled AN ORDINANCE ADOPTING THE FINAL BUDGET OF THE CITY OF BOUNTIFUL FOR THE
11 FISCAL YEAR BEGINNING JULY 1, 2012, AND ENDING JUNE 30, 2013, INCLUDING ESTIMATES OF
12 ANTICIPATED REVENUES, APPROPRIATIONS FOR EXPENDITURES, ADJUSTED COMPENSATION SCHEDULES
13 FOR CITY OFFICERS AND EMPLOYEES, AND THE SETTING OF USER FEES FOR CITY FACILITIES AND
14 SERVICES. Councilman Tolman seconded the motion and voting was unanimous. Councilpersons
15 Higginson, Holbrook, Knight, Moss, and Tolman voted "aye".
16

17 **RES. NO. 2012-06 ADOPTED RE: PROPERTY TAX RATE FOR 2012-13**
18 **BUDGET YEAR**

19 Mr. Mahan reported that the City had received the certified tax rate from Davis County for
20 the 2012 tax year (as included in the Fiscal Year budget). The tax rate is 0.001094 and is for the
21 fiscal year ending June 30, 2013. He recommended that this rate be adopted as set forth in
22 Resolution No. 2012-06 entitled A RESOLUTION SETTING THE TAX RATE AND LEVYING TAXES UPON
23 ALL REAL AND PERSONAL PROPERTY IN THE CITY OF BOUNTIFUL, UTAH, MADE TAXABLE FOR THE
24 YEAR 2012. Councilman Higginson made a motion to adopt Res. No. 2012-06, Councilwoman
25 Holbrook seconded the motion and voting was unanimous. Councilpersons Higginson, Holbrook,
26 Knight, Moss, and Tolman voted "aye".
27

28 **RES. NO. 2012-07 ADOPTED RE: EMPLOYEE FLEX CONTRIBUTIONS**

29 Mr. Mahan reviewed that action had previously been taken which would establish a
30 maximum of \$2,500 per year for employees to contribute to a flex plan under the City's cafeteria
31 plan. Afterward, on May 30th, the Internal Revenue Service issued a decision allowing flex plans
32 with fiscal years beginning prior to January 1, 2013, to continue under the old \$6,000 limit. This
33 necessitates that the action which the Council took last month be amended through Resolution No.
34 2012-07. This resolution implements the reduction to \$2,500 on July 1, 2013, rather than July 12,
35 2012. Councilman Higginson made a motion to adopt Resolution No. 2012-07 entitled A
36 RESOLUTION APPROVING AMENDMENT NUMBER THREE TO THE BOUNTIFUL CITY CORPORATION
37 CAFETERIA PLAN EFFECTIVE JULY 1, 2013. Councilman Moss seconded the motion and voting was
38 unanimous. Councilpersons Higginson, Holbrook, Knight, Moss and Tolman voted "aye".
39

40 **RES. NO. 2012-08 ADOPTED RE: ESTABLISHMENT OF HEALTH RETIREMENT PLAN**

41 Mr. Mahan reviewed that in the past, the City provided qualified retirees with health
42 insurance coverage between the ages of 55 and medicare at age 65. That program became too
43 expensive to sustain and the program was ended effective June 30, 2012. It was replaced by a
44 health retirement account (HRA) funded from half of the accumulated sick leave of the retiree up to
45 a specific maximum. In order to implement this policy change, the City Council needs to approve a
46 resolution establishing the plan. He reviewed the basic nature and details of the plan and

recommended that it be adopted. Councilman Higginson made a motion to adopt Resolution No. 2012-08 entitled A RESOLUTION APPROVING THE CERTIFICATE OF CORPORATE RESOLUTION ESTABLISHING A BOUNTIFUL CITY RETIREE HRA PLAN. Councilwoman Holbrook seconded the motion and voting was unanimous. Councilpersons Higginson, Holbrook, Knight, Moss and Tolman voted “aye”.

RELEASE OF EASEMENT APPROVED FOR ERNIE COX – 1372 EAST SEVILLE WAY

Mr. Rowland presented the request of Ernie Cox for a release of easement on his property located at 1372 East Seville Way. He is desirous of constructing a detached garage on his property; however, there is currently a dedicated easement where he plans to locate the garage. Mr. Rowland reported that all utilities that may have interest in this easement have reviewed the request and find no compelling need to retain it. Therefore, it is recommended by staff that the Council grant the release of easement as requested. Councilman Higginson made a motion to grant the release of easement as requested. Councilman Moss seconded the motion and voting was unanimous.

Discussion followed regarding the improvements that need to be completed on Mr. Cox’s property (drive approach and driveway) and Mr. Cox confirmed that this work will be completed prior to construction of the garage.

PUBLIC HEARING TO CONTINUE DISCUSSION OF AMENDMENTS TO TITLE 14, LAND USE ORDINANCE

Mr. Jensen reported that the Planning Commission has reviewed and made comments on three chapters of Title 14, Land Use Ordinance. He reviewed the proposed changes, most of which were grammatical, and noted that they come to the Council with a positive recommendation from the Planning Commission. Discussion focused on the language regarding towing of unlicensed vehicles, telecommunication tower sites, vehicles parked on lawns, commercial equipment stored at residential sites, and abandoned/incompleted houses.

The Mayor opened the public hearing at 8:45 p.m. Valia Leardahl, 885 N 1050 East, spoke to the issue of houses that have not been completed and asked if something could be done in the way of neighborhoods assisting the property owners through volunteer service. Ed Larrabee asked if something could be done by the City regarding the weeds which have grown on the unfinished project at Orchard Drive 2200 South. Ernie Cox asked if there is a provision in the ordinance for antique vehicles to be exempted from restrictions of unlicensed/unused vehicles. Mr. Jensen noted that the ordinance requires unlicensed vehicles to be kept in a garage. Charlie Benson asked about tractors which are used for residential gardens and landscaping (not for commercial use). “Joe” asked if the City has a code enforcement officer. Mr. Jensen indicated that enforcement comes through complaints from citizens that are then followed up by City staff using due procedure. The hearing was closed at 8:58 p.m. and continued to a future meeting. No official action was taken.

The meeting adjourned at 8:59 p.m. on a motion made by Councilman Higginson and seconded by Councilwoman Holbrook. Voting was unanimous with Councilpersons Higginson, Holbrook, Knight, Moss and Tolman voting “aye”.

SEE SIGNATURE BLOCK – PAGE 6

SIGNATURE BLOCK FOR MINUTES OF JUNE 12, 2012

JOE L. JOHNSON, Mayor

KIM J. COLEMAN, City Recorder

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